

██████████  
Lead Member of the Examining Authority  
National Infrastructure Planning  
Temple Quay House  
2 The Square  
Bristol  
BS1 6PN

Our ref: AN/2024/135611/04-L01

Your ref: EN010142

Date: 18 February 2025

By email:

[tillbridgesolarproject@planninginspectorate.gov.uk](mailto:tillbridgesolarproject@planninginspectorate.gov.uk)

Dear Mr █████

**Order Granting Development Consent for the Tillbridge Solar Project (EN010142) - Examining Authority's second written questions.**

I refer to the Examining Authority's second written questions issued by the Planning Inspectorate on 04 February 2025.

Our answers to the questions where the Environment Agency is referred to in the 'question to' column are as follows:

**Schedule 15 – Protective Provisions**

**Q2. 6.2 Question for the Applicant and Statutory Undertakers about the Protective Provisions**

Please can the applicant provide an update with regards to the remaining outstanding Protective Provisions with statutory undertakers and the likelihood of these draft Protective Provisions being agreed prior to the closure of the examination?

**Environment Agency Answer**

As of 04 February 2025, we were substantively agreed on the Protective Provisions, with only one point outstanding. That was the definition of "drainage work" in paragraph 1(2).

A number of discussions have taken place since then and it is now agreed that "drainage work" means any main river and includes any land which provides flood storage capacity for any main river and any bank, wall, embankment or other

structure, or any appliance, constructed or used for land drainage, flood defence or tidal monitoring.

The Protective Provisions have therefore now been agreed on this basis.

The applicant's Legal advisors have stated it is the intention to include the revised Protective Provisions in the updated draft DCO being submitted at Deadline 5.

#### **14. Water environment including flood risk**

##### **Q2. 14.1 Question for the Applicant and the EA on the topic of Reservoir Flood Risk.**

The Applicant's previous replies indicate that the reservoir used adjacent to the proposed development is for the storage of digestate for an agricultural business. Can the Applicant advise if the potential for breach of this reservoir has been considered within their flood risk assessment and the likely consequence should this to occur?

#### **Environment Agency answer**

We note that the applicant's reply to Q1.14.6 in December 2024 to your first set of questions says 'Figure 10-1 of the ES [APP-167] shows one square water reservoir within the Principal Site. This is a cesspit for digestate of an adjacent farm business and has been assumed to remain in use by that farm business throughout the lifecycle of the Scheme. The reservoirs adjacent to the Order limits are assumed to be for irrigation purposes. The flood risk assessment in Appendix 10-3: Flood Risk Assessment of the ES [EN010142/APP/6.2(Rev01)] assesses flood risk from all sources, including reservoir flood risk. The Environment Agency online mapping (Ref 1-52) for reservoir flood risk includes flood risk from these reservoirs. The Scheme is not impacted by flooding from the reservoirs and does not increase flood risk from reservoirs elsewhere'.

We see that the applicant refers to the reservoir that is used for the storage of digestate as being within the principal site whereas you refer to it as being adjacent to the proposed development in your question. However, we assume this is the same reservoir because it is the only one we can find in the applicant's previous replies as being referred to as used for the storage of digestate.

We also note the applicant describes it as a square reservoir. We have located a reservoir which seems to fit this description in Figure 10-1 of the Environmental Statement (Surface Water Features and Their Attributes). It is marked by a yellow circle with a black border in the North East corner, just South West of Hemswell. We

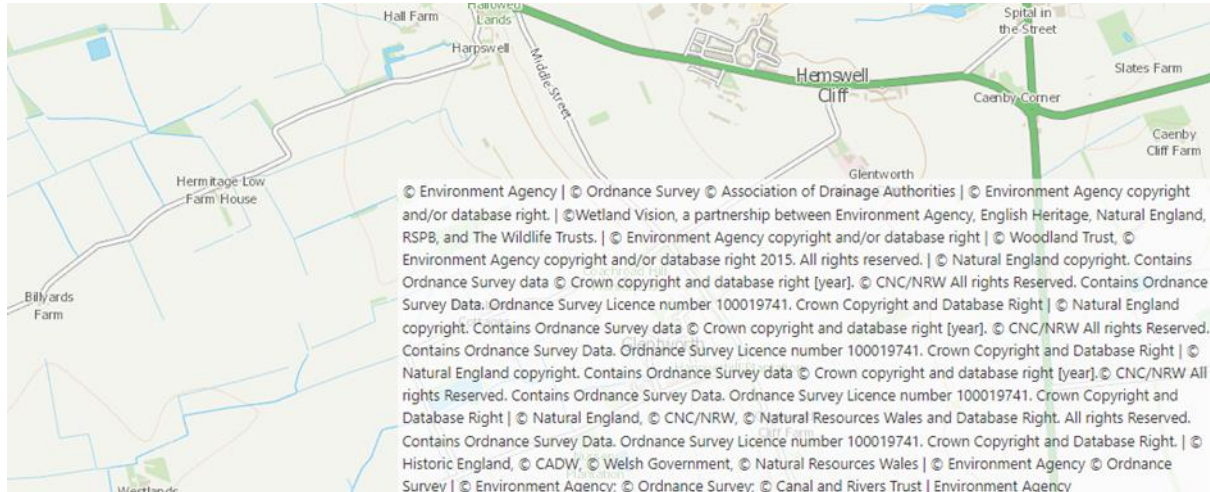
#### **Environment Agency**

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have calculated this to have Grid Reference SK9143589764. See blue square on Western side of map extract below.



Taking all of the above into account, our reply to your question is based on it being this reservoir that you are asking about.

We are aware that, in our response to Q1. 14.6 of your first set of questions, in our letter of 09 December 2024, we previously accepted the applicant's reply to this question including the statement that 'the Environment Agency online mapping (Ref 1-52) for reservoir flood risk includes flood risk from these reservoirs'.

However, we have reviewed the situation in the light that this matter has been raised again.

The Environment Agency holds records of large, raised reservoirs holding 25,000 cubic metres or more of water above natural ground level. We have checked and this reservoir is not included on our records. If the reservoir does have a capacity over 25,000 cubic metres the reservoir should be registered with the Environment Agency.

The area of the reservoir, as measured from Ordnance Survey mapping, appears to be approximately 11471.68 m<sup>2</sup> so it would need to have a height of around 2.5m to take it over the 25,000m<sup>3</sup> threshold.

As the reservoir is not included in our records, it has not been included in the national reservoir breach mapping project. Therefore, the statement by the applicant

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that this reservoir has been included in the Environment Agency breach mapping is not correct.

The risk posed by this reservoir will depend on the quantity of water/liquid stored above the natural ground level of the land. We have made the applicant's consultants aware of our latest position and it is understood that they will commenting on this, including the capacity of the reservoir, in their reply to this question.

I hope these replies are of assistance.

Should you require any additional information, or wish to discuss these matters further, please do not hesitate to contact me on the details below.

Yours sincerely

[Redacted signature]

Planning Specialist

Direct dial [Redacted]

Direct e-mail [Redacted]

**Environment Agency**

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